

<p style="text-align: center;">CALIFORNIA STATE BOARD OF CORRECTIONS CONSTRUCTION GRANTS PROGRAM</p>

PRECONTRACTUAL REQUIREMENTS AFTER GRANT AWARD

All construction funded under this program must meet the requirements as identified in this RFP (including “wet rooms” and “new generation” design) and enable facilities to maintain compliance with safety and security considerations in facility operational standards as contained in Title 15, California Code of Regulations; fire safety standards as contained in Title 19, California Code of Regulations; and construction standards, including fire safety standards, as contained in Title 24, California Code of Regulations.

After grant award, the state assigns a designated BOC construction grant field representative to each County/project. The state’s relationship is with the County as the grantee. The BOC requires that all County communication with the state field representative be done by County designated officials, not county contractors or consultants (i.e., County assurances/submittals, progress reports, fiscal invoices, project questions).

When the BOC awards construction grants, funds are encumbered for future disbursement to counties. The BOC cannot enter into a state/county grant contract (or disburse funds) until counties meet precontractual requirements including preparation and submittal of formal architectural drawings and other documents for BOC and State Fire Marshal plan review and acceptance.

After grant awards, counties typically have architects begin development of formal drawings and construction plans. Two sets of full-size (at least 1/8" scale) architectural drawings must be submitted to the BOC at three stages: 1) Schematic Design (30 percent complete and accompanied by a program statement as defined in Title 24, California Code of Regulations); 2) Design Development (50 percent complete and accompanied by a staffing plan); and 3) Construction Documents (100 percent complete). At each submittal stage, BOC staff and the State Fire Marshal (located at the BOC) conduct independent architectural plan reviews for safety, security, and compliance with regulations. At each submittal stage, written responses are sent to the County (within three weeks for BOC funded projects). Sometimes counties may be required to make design changes necessary to comply with regulations or to remedy safety or security defects.

The schematic design submittal stage (with program statement) is the first formal, official review point of construction plans. Any response to general or conceptual inquiries before schematic design and program statement submittal and review does not constitute formal plan review or official acceptance by the BOC or State Fire Marshal. After the construction document submittal/acceptance, counties typically request bids and enter into Agreements for Construction with construction contractors. Counties are solely responsible for resolving bid disputes, or subsequent construction contract disputes. **The County’s proposed, and state accepted, scope of work at the time of grant award, and as accepted by the BOC at the**

construction document stage, must be able to be completed with the amount of the grant and county matching funds.

At the time of local bid award, when County notice to proceed is issued and construction has begun, with costs are identified and budgeted by Construction Specification Institute (CSI) Division and sub-element, the BOC will enter into a formal state/county grant contract.

The following is a general summary of precontractual requirements:

1. Grantee must submit to the BOC architectural drawings and specifications at the stages of schematic design; design development; and construction documents. A program statement as defined in Title 24, CCR, must accompany the schematic plans. A staffing plan and operating and staffing cost statement must be submitted no later than design development. All submittals must enable the project to be in compliance with Titles 15, 19, and 24, California Code of Regulations.
2. Grantee must submit to the BOC a copy of its CEQA determinations. If federally funded, the grantee must also comply with federal NEPA requirements and related federal *Program Guidance on Environmental Protection Requirements*, and must obtain federal clearance/approval on environmental documents before starting construction.
3. Grantee must submit to the BOC a summary of bids received for the project, with a statement of which contractor the bid was awarded to and why; a copy of the notice to proceed issued to its contractor, and a "team data sheet" listing names, addresses, and telephone numbers of key contacts and personnel.
4. If for any reason the project is exempted from any or all federal, state or local laws, regulations, ordinances, standards or requirements, Grantee must provide the BOC a statement citing the appropriate exemption.
5. Grantee must provide the BOC with a financial plan detailing arrangements to provide its portion of the project costs, including reserves for cash flow during the construction period; method for securing matching funds, source of matching funds, date matching funds will be available; and schedule of expenditure of cash and in-kind match (match must be expended on a schedule that is at least proportional to expenditure of grant funds).
6. Grantee must provide the BOC with a schedule of values of grant funds, cash match, and in-kind match listed by CSI Division and sub-element and other budget items, along with a construction schedule, project management plan, and names/roles of key personnel.